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OFFICE OF PETITIONS

In re Application of :
Stephanie Ayala, et. al. :
Application No. 09/545,288 : **ON PETITION**
Filed: April 7, 2000 :
Attorney Docket No. 032326-057 :

This is a decision on the petition under 37 CFR 1.137(b), filed October 19, 2004, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the Restriction mailed October 1, 2001, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned after midnight November 1, 2001.

In response, petitioner submitted with the instant petition \$1,370 for the petition to revive fee, and a copy of a response to the Restriction requirement filed by facsimile transmission on June 14, 2002¹.

The petition is **GRANTED**.

The application file is being forwarded to Technology Center Art Unit 3729, for further review of the response purportedly filed on November 27, 2001.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹Petitioner supplied the Office with a copy of the postcard receipt, which shows a response was filed November 27, 2001.